

This is, I think, a man whose time has come. I wish he would have been already on the bench. We will have a chance to rectify that with our move to cloture today and then, hopefully, in a couple of days later, his confirmation as a judge from the Western District of Virginia.

So I heartily join my friend Senator Kaine and urge the confirmation of Judge Ballou as a judge to the Western District of Virginia.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. Kaine. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 31, Robert Stewart Ballou, of Virginia, to be United States District Judge for the Western District of Virginia.

Charles E. Schumer, Richard J. Durbin, Catherine Cortez Masto, Sheldon Whitehouse, Sherrod Brown, Margaret Wood Hassan, Raphael G. Warnock, Gary C. Peters, Jack Reed, Christopher A. Coons, Brian Schatz, Tina Smith, Ben Ray Lujan, Elizabeth Warren, Martin Heinrich, Christopher Murphy, Tammy Baldwin, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robert Stewart Ballou, of Virginia, to be United States District Judge for the Western District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. Durbin. I announce that the Senator from California (Mrs. Feinstein), the Senator from Pennsylvania (Mr. Fetterman), and the Senator from Vermont (Mr. Sanders) are necessarily absent.

Mr. Thune. The following Senators are necessarily absent: the Senator from Wyoming (Mr. Barrasso), the Senator from Idaho (Mr. Risch), and the Senator from Alaska (Mr. Sullivan).

The yeas and nays resulted—yeas 59, nays 35, as follows:

[Rollcall Vote No. 40 Ex.]

YEAS—59

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Gillibrand	Murray	Welch
Graham	Ossoff	Whitehouse
Grassley	Padilla	Wyden
Hassan	Peters	

NAYS—35

Blackburn	Fischer	Paul
Boozman	Hagerty	Ricketts
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cotton	Lankford	Thune
Cramer	Lee	Tuberville
Crapo	Lummis	Vance
Cruz	Marshall	Wicker
Daines	Moran	Young
Ernst	Mullin	

NOT VOTING—6

Barrasso	Fetterman	Sanders
Feinstein	Risch	Sullivan

The PRESIDING OFFICER (Ms. Smith). On this vote, the yeas are 59, the nays are 35.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Mr. CASEY. Madam President, on February 14, I successfully underwent surgery for prostate cancer. I am grateful to the doctors and other medical professionals who provided me with excellent care, and I am glad to be back in the Senate working for the people of Pennsylvania. As the result of my medical treatment, I required several weeks of recovery and thus missed several votes in the Senate. The outcome of these votes was unaffected by my absence, but I wish for the record to show, had I not been absent due to my cancer treatment and recovery, how I would have voted on the following votes: yea on vote number 11, on the confirmation of Gina R. Mendez-Miro to be U.S. District Judge for the District of Puerto Rico; yea on vote number 12, on the motion to invoke cloture on Lindsay C. Jenkins to be U.S. Dis-

trict Judge for the Northern District of Illinois; yea on vote number 13, on the confirmation of Lindsay C. Jenkins to be U.S. District Judge for the Northern District of Illinois; yea on vote number 14, on the motion to invoke cloture on Matthew L. Garcia to be U.S. District Judge for the District of New Mexico; yea on vote number 15, on the confirmation of Matthew L. Garcia to be U.S. District Judge for the District of New Mexico; yea on vote number 16, on the motion to invoke cloture on Adrienne C. Nelson to be U.S. District Judge for the District of Oregon; yea on vote number 17, on confirmation of Adrienne C. Nelson to be U.S. District Judge for the District of Oregon; yea on vote 18, on the motion to invoke cloture on Ana C. Reyes to be U.S. District Judge for the District of Columbia; yea on vote 19, on the motion to invoke cloture on Daniel J. Calabretta to be U.S. District Judge for the Eastern District of California; yea on vote 20, on confirmation of Ana C. Reyes to be U.S. District Judge for the District of Columbia; yea on vote 21, on the motion to invoke cloture on Lester Martinez Lopez to be an Assistant Secretary of Defense; yea on vote 22, on confirmation of Daniel J. Calabretta to be U.S. District Judge for the Eastern District of California; yea on vote 23, on the confirmation of Lester Martinez-Lopez to be an Assistant Secretary of Defense; yea on vote number 24, on the motion to invoke cloture on the nomination of Maria Araujo Kahn to be U.S. Circuit Judge for the Second Circuit.

Due to my medical treatment on February 14, I also missed committee hearings and other Senate business when the Senate was in session from February 14 to February 17.

ADDITIONAL STATEMENTS

TRIBUTE TO CORPORAL JIMMY SULLIVAN

• Mr. TUBERVILLE. Madam President, for some veterans, serving their country meant foregoing their own dreams so that millions of Americans would have the opportunity to pursue theirs. That is true for U.S. Marine Cpl Jimmy Sullivan of Foley, a star linebacker at Vigor High School in Mobile, who always dreamed of playing football for Coach Paul "Bear" Bryant at the University of Alabama.

But when the offer letter came from Coach Bryant, Corporal Sullivan knew that he could not accept because he saw the many Americans who were dying in the Vietnam war. So instead of following his dream to play college football, he dropped out of high school to enlist in the U.S. Marine Corps at the age of 18.

The two-time Purple Heart recipient recalls several close calls during his 2 years in Vietnam, but a particular experience stands out in his mind. One foggy day while transporting deceased